



**CITY COUNCIL**

JAN SUMRALL  
DISTRICT NO. 1

ROSE RODRIGUEZ  
DISTRICT NO. 2

LARRY M. MEDINA  
DISTRICT NO. 3

JOHN COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

LUIS G. SARIÑANA  
DISTRICT NO. 7

ANTHONY COBOS  
DISTRICT NO. 8

REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
JULY 10, 2001  
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar and Anthony Cobos. Absent: Luis G. Sariñana. Meeting was called to order and the invocation was given by Reverend Bill Francis, Saint Clement's Episcopal Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City, accept a donation from Hoy-Fox Automotive Market and Mercedes-Benz for five (5) police duty versions of Mercedes-Benz all-terrain mountain bikes for use by the El Paso Police Department. The total value of the donation is in excess of \$10,000.00.

Police Chief Carlos Leon thanked Mssrs. Hoy and Fox and the Mercedes-Benz Corporation for their generous donation. He stated that Mssrs. Hoy and Fox have previously donated five Mercedes-Benz all-terrain mountain bikes. He explained that the new bikes will make a tremendous impact on the ability of the officers to patrol the Central area of the City.

Mr. Steve Fox, Hoy-Fox Automotive Group, relayed a story to Council Members regarding Chief Leon and how their relationship began 20 years ago. Mr. Hoy stated that, with the help of the City and the positive news coverage received, this enabled Hoy-Fox in their efforts to get these bikes presented today. On behalf of Bob and Steve Hoy, he presented these bikes to the City of El Paso.

Mayor Raymond Caballero commended Mr. Fox on their excellent donation, past work and past contributions.

Representative Escobar thanked Mssrs. Hoy and Fox for their generosity and thanked Chief Leon for asking for the additional bikes. He remarked that the bike patrol is an excellent program. He stated that he had prosecuted cases in which the bike patrol had made the arrests. He stated that the officers riding these bikes have made very positive remarks and enjoy riding them.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

Motion made by Representative Medina, seconded by Representative Sumrall, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.  
(Items approved under Consent Agenda will be shown with an asterisk {\*}).

\*Motion made, seconded and unanimously carried to excuse Representative Sariñana from the Regular Council Meeting of July 10, 2001.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Ground Water Model Equipment Lease Agreement by and between the City of El Paso, for the Retired Senior Volunteer Program (RSVP) of El Paso, and the Environmental Alliance for Senior Involvement (EASI), whereby EASI equipment will be leased to the City to be utilized in connection with the EASI Grant received by the City for a Senior Environmental Corps Program.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute and file a renewal grant application to the Corporation for National Service for the Foster Grandparent Program, on behalf of the City of El Paso, in the amounts of \$392,540 (Federal), \$60,786 (City), \$25,000 (CDBG), \$4,900 (County), and \$3,211 (State) for a total of \$486,437; and

That Deborah G. Hamlyn, Director, Community and Human Development, be authorized to furnish such additional information as the Corporation for National Service may require in connection with the application or the project; and

That the Mayor be authorized to execute any Grant Agreements for the above amount, or for a greater or lesser amount, and any amendments to the initial Grant Agreement which increases, decreases or deobligates program funds, provided that no additional City funds are required, upon approval by the Corporation for National Service. The Funding obtained with this grant will benefit Districts 1 through 8.

NOTE: Resolution was revised to read: "That the Mayor be authorized to execute and file a renewal grant application to the Corporation for National Service for the Foster Grandparent Program, on behalf of the City of El Paso, in the amounts of **\$392,540** (Federal), \$60,786 (City), \$25,000 (CDBG), \$4,900 (County), and \$3,211 (State) for a total of **\$486,437**;

**\*RESOLUTION**

That the Mayor be authorized to sign an Amendment to the Consultant Services Agreement of April 17, 2001, by and between the City of El Paso and SafeNet Environmental Services, L.L.C., to increase the amount of compensation to \$15,000, for professional and environmental consultant services.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Agreement granting an Underground Electrical Easement with a transformer site to the El Paso Electric Company on a portion of Block 45, Mills Addition, El Paso County, Texas.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor is authorized to sign, on behalf of the City of El Paso, Texas, contracts with Southwestern Bell for the installation and lease of five (5) primary rate interface (PRI) circuits to support the wide area network (WAN) changes necessary to implement KRONOS time and attendance application.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an application, an agreement with the University of Texas at El Paso, and related documents for a grant from the U. S. Department of Education for development of the "El Paso Whole Arts" Program. The grant application will be part of an Arts in Education Development and Dissemination Program Grant in which UTEP, and the Canutillo and Clint Independent School districts are participating. Canutillo ISD will be the fiscal agent. The grant, in an amount of \$225,000, would provide funding for an Arts in Education Coordinator, artist fees, rentals, equipment, and transportation, for the three years of the Program. No City match or in-kind funding will be required.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an application, an agreement with the El Paso Empowerment Zone Corporation, and related documents for a grant from the U. S. Department of Education for a "Lifelong Learning Center" at the Armijo Branch Library. The grant application will be part of a Community Technology Centers Program Grant for which the El Paso Empowerment Zone Corporation is the lead agency. The City's portion of the grant, an amount of approximately \$47,000, would provide funding for two UTEP students as instructors, as well as the cost of furniture for the Learning Center computers, educational software, and Internet connections. The City will provide facility space and seven (7) computers, valued at approximately \$9,000, as in-kind matching for the grant.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Director of the El Paso Museum of History be authorized to sign an Advertising Purchase Agreement with Shoreline Creations, Ltd., for a series of four quarterly advertisements in Group Tour Magazine, a publication serving the group tour industry. The total cost of the advertisements is \$1,100.00, of which \$672.00 has been donated by the Friends of the El Paso History Museum.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor be authorized to sign a "Park Partner" Agreement with the following individual for maintenance and other services on City property as described in the Agreement.

Mr. Martin Del Olmo                      Indian Ridge #9

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000/2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**SPORTS PROGRAMMING**

**NO. 010215, SUB-OBJECT 202215**

1.     **CONTRACTOR:**        Michael Corbin, Scorekeeper Basketball (Youth & Adult)  
       **DATES:**                June 27, 2001, thru August 31, 2001  
       **RATE PER GM:**       \$8.00  
       **MAXIMUM AMT:**      \$1,000.00  
       **CONTRACT:**          2000/2001-216

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**AQUATICS**

**NO. 010281, SUB-OBJECT 201011**

1.     **CONTRACTOR:**        Alfredo J. Corona, Pool Attendant I, Step 1  
       **DATES:**                June 21, 2001, thru September 30, 2001  
       **RATES PER HR:**       \$5.40  
       **CONTRACT NO:**       2000/2001-310
2.     **CONTRACTOR:**        Carlos B. Flanders, Swim Instructor I, Step 1  
       **DATES:**                June 12, 2001, thru September 30, 2001  
       **RATES PER HR:**       \$5.35  
       **CONTRACT NO:**       2000/2001-311
3.     **CONTRACTOR:**        Alejandro Gonzalez, Pool Attendant I, Step 1  
       **DATES:**                June 8, 2001, thru September 30, 2001  
       **RATES PER HR:**       \$5.40  
       **CONTRACT NO:**       2000/2001-312

4. CONTRACTOR: Libni T. Gutierrez, Swim Instructor I, Step 1  
 DATES: June 18, 2001, thru September 30, 2001  
 RATES PER HR: \$5.35  
 CONTRACT NO: 2000/2001-313
5. CONTRACTOR: Raquel C. Reyes, Pool Attendant I, Step 1  
 DATES: June 22, 2001, thru September 30, 2001  
 RATES PER HR: \$5.40  
 CONTRACT NO: 2000/2001-314
6. CONTRACTOR: Carlos Saucedo, Pool Attendant I, Step 1  
 DATES: June 22, 2001, thru September 30, 2001  
 RATES PER HR: \$5.40  
 CONTRACT NO: 2000/2001-315
7. CONTRACTOR: Breannan C. Stone, Lifeguard I Step 1  
 DATES: June 21, 2001, thru September 30, 2001  
 RATES PER HR: \$6.00  
 CONTRACT NO: 2000/2001-316
8. CONTRACTOR: John M. Uribe, Swim Instructor I, Step 1  
 DATES: June 21, 2001, thru September 30, 2001  
 RATES PER HR: \$5.35  
 CONTRACT NO: 2000/2001-317
9. CONTRACTOR: Alberto Zamarripa, Lifeguard Trainee  
 DATES: June 12, 2001, thru September 30, 2001  
 RATES PER HR: \$5.25  
 CONTRACT NO: 2000/2001-318

\*R E S O L U T I O N

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**AQUATICS**

**NO. 010281, SUB-OBJECT 201011**

1. CONTRACTOR: Sonny L. Valenzuela, Lifeguard I, Step 1  
 DATES: May 15, 2001, thru September 30, 2001  
 RATES PER HR: \$6.00  
 CONTRACT NO: 2000/2001-319
2. CONTRACTOR: Areli Villegas, Swim Instructor I, Step 1  
 DATES: May 29, 2001, thru September 30, 2001  
 RATES PER HR: \$5.35  
 CONTRACT NO: 2000/2001-320

**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2000/2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**CDBG SUN COUNTRY**

**NO. 150056, 7126CD, 0005 GRANT DETAIL, SUB-OBJECT 202214**

1.    **CONTRACTOR:**        Cody Angel Rios, Fiesta Caliente Coordinator - Club Rec  
      **DATES:**             July 9, 2001, August 3, 2001  
      **RATE PER CL:**       \$6.00  
      **MAXIMUM AMT:**     \$600.00  
      **CONTRACT:**        2000/2001-217

**NATIONS-TOBIN RECREATION CENTER**

**NO. 510099, SUB-OBJECT 202214**

2.    **CONTRACTOR:**        Brian R. Barajas, Hockey Instructor  
      **DATES:**             July 15, 2001, August 31, 2001  
      **RATE PER CL:**       \$6.00  
      **MAXIMUM AMT:**     \$600.00  
      **CONTRACT:**        2000/2001-218
3.    **CONTRACTOR:**        Jaime Rodriguez, Jr., Hockey Instructor  
      **DATES:**             July 15, 2001, August 31, 2001  
      **RATE PER CL:**       \$6.00  
      **MAXIMUM AMT:**     \$600.00  
      **CONTRACT:**        2000/2001-219

**NOLAN RICHARDSON RECREATION CENTER**

**NO. 510074, SUB-OBJECT 202215**

4.    **CONTRACTOR:**        Angelica C. Ybarra, Aerobics Instructor  
      **DATES:**             July 9, 2001, August 31, 2001  
      **RATE PER CL:**       \$9.00  
      **MAXIMUM AMT:**     \$270.00  
      **CONTRACT:**        2000/2001-220

**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Volunteer Services Agreement between the City of El Paso and Angela M. Alonso for the El Paso Public Library. There is no cost to the City.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the City of El Paso and Amanda Miranda for the El Paso Public Library. There is no cost to the City. This contract is subject to the approval of the City's Civil Service Commission.

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreements between the City of El Paso and the following Volunteers to present programs at various branches of the El Paso Public Library. These contracts are subject to the approval of the City's Civil Service Commission.

1. W. Park Kerr
2. Billy Townes

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign Volunteer Services Agreements between the City of El Paso and the following volunteers for various branches of the El Paso Public Library. There is no cost to the City. These contracts are subject to the approval of the City's Civil Service Commission.

1. Geoff Focht
2. Dennise Diaz
3. Dennis R. Brooke
4. Sonia C. Soto
5. Francene Soto
6. Alicia M. Soto
7. Humberto Soto

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **CHRIS GRIJALVA-GARCIA** to work as a Museum Event Coordinator for the Museum of Art at the biweekly rate of \$1,056.31; not to exceed 40 hours per week. The contract period is from August 7, 2001 through August 6, 2002. This contract is subject to the approval of the City's Civil Service Commission.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Personal Services Employee Contract between the **CITY OF EL PASO** and **VIRIDIANA M. RODRIGUEZ** as a Clerk I for the City Clerk's Office at the rate of \$7.98 per hour, not to exceed 40 hours per week. The term of the contract shall be for the period of July 10, 2001 through August 31, 2001. This contract is subject to the approval of the City's Civil Service Commission.

NOTE: Resolution was revised to read "The term of the contract shall be for the period of July 10, 2001 through August 31, 2001".

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **ALFREDO SOTELO, JR.** as a Juvenile Compliance Coordinator for the Municipal Court at an annual salary of \$31,100.00. The Contract period shall be from July 13, 2001 through July 12, 2002 and is subject to the approval of the City's Civil Service Commission.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Consent to Assignment from **OFFICE JANITORIAL SERVICES** to **PROFESSIONAL JANITORIAL SERVICE OF TEXAS** with respect to the City of El Paso's Contract No. 2001-069 to provide professional exterior window washing services to the City of El Paso.

\*Motion made, seconded and unanimously carried to postpone two weeks the Resolution that the City Council hereby adopts as the prevailing hourly wage rates for "Highway" and "Heavy" construction, the most current rates as established and amended from time to time, by the U. S. Department of Labor, in accordance with the Davis-Bacon Act, as the general prevailing wage rates of per diem wages to be paid to all laborers, workmen and mechanics employed by or on behalf of the City of El Paso in construction of public works, exclusive of maintenance work, in accordance with Chapter 2258, Texas Government Code.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Traffic Signal Agreement between the City of El Paso and Ysleta Independent School District for the installation of school flasher equipment on Lee Trevino between Montana Avenue and Cardigan Drive near R. E. L. Washington Elementary School.

**\*RESOLUTION**

You are hereby notified that at 9:00 a.m. on the 21<sup>st</sup> day of August, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 411-413 S. Florence Street in El Paso, Texas, which property is more particularly described as:



Lots: 4 and 5, Block 139, Campbell Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 68, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Guillermo Stephens, 1223 Wagner Ln., El Paso, Texas 79903 is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to comply with the ordinance and the time it will take to reasonably perform the work.

If the Owner fail, neglect or refuse to comply with the order of City Council the City may pursue one, or all of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner show that the property is the Owners' lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

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\*Motion made, seconded and unanimously carried to approve the installation of guardrail at 5620 Elena Avenue. Cost estimate is \$810.29.

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\*Motion made, seconded and unanimously carried that the City of El Paso accept the tested and approved fire hydrants listed below, to provide adequate fire protection to existing and new areas:

#### **HYD# LOCATION**

- A. 7825 Crystal Ridge Dr., 238' ± W. of Sun Quest St.
- B. 7826 Crystal Ridge Dr., 436' ± E. of Sun Quest St.
- C. 7827 Sun Cove St. and Crystal Ridge St. (NW Corner)
- D. 7828 Sun Cove Ave., 455' ± W. of Sun Quest St.
- E. 7829 Sun Quest St. and Sun Cove Ave., (NE corner)

- F. 7830 Sun Terrace Ave., 365' ± E. of Sun Quest St.
- G. 7831 Sun Terrace Ave., 280' ± W. of Sun Quest St.
- H. 7832 9555 North Loop (Street "B" and Street "A", S. Int.)
- I. 7833 9555 North Loop (Street "B", 490' N. of Street "A", S. Int.)
- J. 7834 9555 North Loop (Street "B" 830' ± NE of Street "A" N. Int.)
- K. 7835 9555 North Loop (Street "B", 190' ± NE of Street "A" N. Int.)
- L. 7851 Gate Ridge Cir., 30' ± N. of Desert South Blvd.
- M. 7877 Montwood Dr. & Joan Francis Dr.
- N. 7878 Montwood Dr., 361' ± E. of Sun Quest St.
- O. 7880 Zaragosa Rd. & Americas Ave. (Loop 375), SW corner
- P. 7932 Snowhawk Dr., 250' E. of Regal Banner Ln.
- Q. 7933 Snowhawk Dr., 265' E. of Old Castle St.
- R. 7934 Snowhawk Dr., 255' E. of Arrambide St.
- S. 7935 Snowhawk Dr., 285' E. of Royal Terrace Ln.
- T. 7951 Wind Ridge Dr. & Wood Ridge Ln. NW Cor
- U. 7958 Robert David Dr. & Wendy Reed Dr., NE Cor
- V. 7962 Robert David Dr. & Joan Francis Dr., NW Cor
- W. 7963 Robert David Dr. & Martin Bauman Dr., NW Cor
- X. 8012 Emerald Gate Ln. 88' N. of Stone Gate Ln.
- Y. 8030 Eastment East of Zaragosa, 300' South of Pellicano
- Z. 8038 Braveheart Ave., 185' W. of Dragon Crest Dr.
- AA. 8041 Dragon Crest Dr. & Willowmist Ave., SE Cor.
- BB. 8042 Willowmist Ave., 730' W. of Greenveil Dr.
- CC. 8054 Morgan Marie St., 69' N. of David Bret St.
- DD. 8055 Riane Chantee St., 110' W. of Morgan Marie St.
- EE. 8064 Sean Haggerty Dr., 51' W. of McCombs St.
- FF. 8066 Scott Simpson St. & George Dieter Dr., NE Cor.
- GG. 8073 Kit Carson Dr. & Luz Carpio Way
- HH. 8074 Diana Natalicio Dr. & Kit Carson Dr., NE Cor
- II. 8075 Myrna Decker Dr. & Alicia Chacon Dr., NE Cor
- JJ. 8076 Myrna Decker Dr. & Marta Duron Lane, NE Cor
- KK. 8077 Diana Natalicio Dr., 144' E. of Alicia Chacon Lane
- LL. 8078 Diana Natalicio Dr., 212' S. of Myrna Decker Dr.

.....  
 \*Motion made, seconded and unanimously carried to approve the request for the following name to be placed on the Reinstatement list in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

Cecilia T. Monreal, Secretary I

.....  
 Motion made, seconded and unanimously carried to move to the regular agenda the following:

Removal Alfred G. Torres from the Community Development Steering Committee as requested by Representative Cobos.

Representative Medina asked Representative Cobos why Mr. Torres had written the letter of resignation and whether Representative Cobos had asked Mr. Torres to resign.

Representative Cobos stated Mr. Torres did not give any reason(s) why he wanted to resign and he had not asked Mr. Torres to resign. He stated that this item was not posted correctly on the City Council Agenda.

Representative Medina reiterated, for the record, that Mr. Torres was not asked to resign by Representative Cobos.

Representative Cobos responded correct.

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to delete the removal Alfred G. Torres from the Community Development Steering Committee as requested by Representative Cobos.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

Removal of Elias Zamora from the Airport Board as requested by Representative Cobos.

Representative Medina remarked that this was very unusual to have a Representative remove members from very important Boards, Committees and Commissions all at the same time. He asked Representative Cobos if these individuals had resigned and/or submitted letters of resignation.

Representative Cobos corrected Representative Medina stating that there were only three removals as Mr. Torres had written a letter of resignation. He explained that he did not know these individuals and he was within the perimeters of the City Charter to remove these individuals from these Boards and Commissions. He would rather appoint individuals with whom he is more comfortable.

Representative Medina stated that it has been the practice of Council Members to submit applications and/or resumes of the individuals to be appointed. He asked Representative Cobos to submit the paperwork to the other Council Members.

Representative Cobos informed Representative Medina that he had brought copies of resumes for Council Members to the Legislative Review Meeting held yesterday and had Representative Medina requested a copy he would have provided one. He stated that previous appointments have been accepted without copies of resumes from the other Council Members.

Representative Medina observed that the individuals which Representative Cobos would like to remove belong to the Association of General Contractors. Representative Medina explained that unless items are addressed publicly, individuals might be questioning Council Members integrity regarding Board appointments and re-appointments.

Representative Cobos stated that Ms. Veronica Callaghan is also a member of the Association of General Contractors; however, he is removing her from her position. He stated that Representative Medina is making an assumption whereas he is showing favoritism toward members of the Association.

Mayor Raymond Caballero asked Mr. Charlie McNabb, City Attorney, to explain what the Council Members choices are in this matter.

Mr. McNabb explained that Council Members can make selections and removals of individuals to certain Boards, Commissions and Committees.

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to remove Elias Zamora from the Airport Board as requested by Representative Cobos.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

Removal of Veronica K. Callaghan from the City Plan Commission as requested by Representative Cobos.

There was no additional discussion on this item.

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to remove Veronica K. Callaghan from the City Plan Commission as requested by Representative Cobos.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

Removal of Bernardo Moreno from the Plumbing & HVAC Board of Appeals as requested by Representative Cobos.

There was no additional discussion on this item.

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to remove Bernardo Moreno from the Plumbing & HVAC Board of Appeals as requested by Representative Cobos.

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\*Motion made, seconded and unanimously carried to postpone two (2) weeks the board re-appointment of James Welshimer to the El Paso Bond Overview Advisory Committee by Representative Sumrall.

.....  
\*Motion made, seconded and unanimously carried to appoint Patricia Wickham to the City County Animal Shelter Advisory Committee by Representative Power.

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Motion made, seconded and unanimously carried to move to the regular agenda the following Board Appointment:

Ed Anderson to the Airport Board as requested by Representative Cobos.

Representative Cobos thanked fellow Council Members for their show of confidence and assured Representative Medina that he would provide the Council Members with the appropriate backup in the future. He stated that Council Members should not engage in any form of impropriety.

Mayor Raymond Caballero remarked that he appreciates the vigorous discussions by Council Members and that these Boards, Commissions and Committees will present professional and independent judgments.

Motion made by Representative Power, seconded by Representative Sumrall and unanimously carried to appoint Ed Anderson to the Airport Board as requested by Representative Cobos.

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Motion made, seconded and unanimously carried to move to the regular agenda the following Board Appointment:

Melvin G. Glass to the Plumbing & HVAC Board of Appeals as requested by Representative Cobos.

There was no additional discussion on this item.

Motion made by Representative Power, seconded by Representative Sumrall and unanimously carried to appoint Melvin G. Glass to the Plumbing & HVAC Board of Appeals as requested by Representative Cobos.

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Motion made, seconded and unanimously carried to move to the regular agenda the following Board Appointment:

Oscar E. Venegas, P.E. to the City Plan Commission as requested by Representative Cobos.

There was no additional discussion on this item.

Motion made by Representative Power, seconded by Representative Sumrall and unanimously carried to appoint Oscar E. Venegas, P.E. to the City Plan Commission as requested by Representative Cobos.

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\*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #V893-999-2100-6500, \$176.71 per month installments on a balance of \$2,650.65 for 2000 taxes; Fernando & Mary S. Flores - 1518 Bob Smith.
- B. PID #S560-000-0003-0003, \$140.50 per month installments on a balance of \$2,388.50 for 2000 taxes; Jose L. & Martha E. Sierra - 132 Escudo Rd.
- C. PID #M576-999-0060-4100, \$631.28 per month installments on a balance of \$3,787.68 for 2000 taxes; Jorge Rivas - 3711 Laguna Pl.
- D. PID #1998-999-1241-0034, \$341.34 per month installments on a balance of \$2,048.04 for 1998, 1999 and 2000 taxes; Bridal Garden % Ana & Betsy Perez - 309 Overland.
- E. PID #V857-999-0010-0100, \$318.36 per month installments on a balance of \$3,820.32 for 2000 taxes; Robert P. and Arlene E. Hernandez -7232 Barker Rd.

.....  
\*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Johnathan Jensen in the amount of \$2,421.08, overpayment of 2000 taxes.  
(PID #C231-999-0070-2300)
- B. First American Title in the amount of \$978.83, overpayment of 2000 taxes.  
(PID #C789-999-0030-0700)
- C. Transamerica Real Estate Tax Service in the amount of \$1,381.11, overpayment of 1999 taxes.  
(PID #C915-999-0170-8100)
- D. Transamerica Real Estate Tax Service in the amount of \$1,356.09, overpayment of 2000 taxes.  
(PID #E054-999-0060-5800)
- E. Transamerica Real Estate Tax Service in the amount of \$879.86, overpayment of 1999 taxes.  
(PID #H453-999-1340-1100)
- F. Transamerica Real Estate Tax Service in the amount of \$2,553.25, overpayment of 1999 taxes.  
(PID #H7830-0010-0600)
- G. Transamerica Real Estate Tax Service in the amount of \$1,255.48, overpayment of 1999 taxes.  
(PID #M436-999-0050-4300)
- H. Transamerica Real Estate Tax Service in the amount of \$2,168.04, overpayment of 2000 taxes.  
(PID #M771-999-0170-0100)
- I. Transamerica Real Estate Tax Service in the amount of \$1,398.64, overpayment of 1999 taxes.  
(PID #P682-999-0050-3500)
- J. Francisco Valle in the amount of \$3,699.50, overpayment of 1999 taxes.  
(PID #R038-999-0020-0800)
- K. Luis Rene Contreras in the amount of \$5,448.33, overpayment of 2000 taxes.  
(PID #R460-999-0150-2100)

L. Jimmy Israel in the amount of \$949.43, overpayment of 2000 taxes.  
(PID #S363-999-0120-1500)

M. Transamerica Real Estate Information Companies in the amount of \$556.36, overpayment c  
2000 taxes. (PID #W144-999-0180-3200)

.....  
\*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to issue a Purchase Order for **Cataloging Services to Amigos Bibliographic Council** who is sole provider for the OCLC National Interlibrary Loan Systems. This will allow the El Paso Public Library to participate in Statewide Interlibrary borrowing services for FY2001/2002.

This is a one year agreement.

Bid No.: 0092-96  
Department: Library  
Funds available: 010201-202107  
Funding source: General Fund - Data Processing Services Library  
Total award: \$45,170.00 Estimated

.....  
\*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend the term of the agreement for one (1) additional year, from July 18, 2001 to July 17, 2002 pursuant to the provisions of Contract 2000-209-C1, Boca International Country Club Hills, Illinois for Building Code Books.

OPTION NO.: ONE [OF ONE]

Department: PW/Building Services  
Funds available: 010116-010117-010118-010120-203103  
Funding source: General Fund  
Amount of award: \$5,000.00 Annual Estimate

.....  
\*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend the term of the agreement for one (1) additional year, from July 18, 2001 to July 17, 2002 pursuant to the provisions of contract 2000-209-C2, Southern Building Code Congress Intl., Inc., Birmingham, Alabama for Building Code Books.

OPTION NO.: ONE [OF ONE]

Department: PW/Building Services  
Funds available: 010116-010117-010118-010120-203103  
Funding source: General Fund  
Amount of award: \$5,000.00 Annual Estimate

.....  
\*Motion made, seconded and unanimously carried to reject the Bid 2001-220 Automated External Defibrillators as recommended by Purchasing and Fire Departments.

This requirement will be reviewed by the user department. A new solicitation, with revised specifications, will be issued at a later time.

\*Motion made, seconded and unanimously carried to award Bid No. 2001-174 Floor & Carpet Maintenance Machines

Award to: Regal Supply & Chemical  
El Paso, TX  
Item: 5  
Amount: \$7,200.00

Department: Department of Aviation  
Funds available: 620020-208008-500004  
Funding source: Airport Enterprise Fund  
Total amount: \$7,200.00

The Department of Aviation and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Furthermore, it is requested to reject all bids submitted for items 1, 2, 3, 4, 6, and 7. These items will be re-bid with revised specifications as requested by the Department of Aviation.

This is a fixed-price, single (one-time) purchase, for Floor & Carpet Maintenance Machines, for the El Paso International Airport.

Vendor does not offer a fast pay discount.

.....  
\*Motion made, seconded and unanimously carried to award Bid No. 2001-176 High Density Mobile Shelving

Award to: Library Design Systems  
Houston, TX  
Items: 1A, 2, 3, 4, 5, 6, 7, 8, 9A  
Optional Items: O1, O2, O3, O4  
Vendor Options: Additional Panels and other components:  
Workstation A: \$818.35  
Workstation B: \$1,361.41  
Workstation C: \$72.00  
Amount: \$70,813.39 (amount with discount is \$70,105.26)

Department: Equipment Maintenance  
Funds available: 250201-208006-MB0002-190  
Funding source: FY2001 Certificates of Obligation  
Total amount: \$70,813.39

The Equipment Maintenance and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase and install high density mobile shelving. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within sixty (60) days from the date of award of the contract. A 1% prompt payment discount is offered if payment is made within 10 days.

\*Motion made, seconded and unanimously carried to award Bid No. 2001-183 Command Vehicle

Award to: Farber Specialty Vehicles  
Columbus, Ohio  
Item: 1 with Optional Item O2  
Amount: \$138,400.00

Department: Police  
Funds available: 150048-208006-210107  
Funding source: SWAT Grant (Federal)  
Total amount: \$138,400.00

The Police and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase one (1) Command Vehicle. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days, from the date of award of the contract. No prompt payment discount is offered.

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\*Motion made, seconded and unanimously carried to award Bid No. 2001-233

Project: Basketball Court Rehabilitation II  
Contractor: Silverton Construction Co., Inc.  
El Paso, Texas

Department: Parks and Recreation  
Funding: 150069-7126CD-0020-208027  
Base Bid: \$156,489.00  
Total Award: \$156,489.00

The Purchasing Department recommends the award of this contract to Silverton Construction Co., Inc. the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$10,000.00 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

Description or Explanation:

Base Bid I	-	\$147,489.00
Alternate #1	-	\$ 9,000.00

Total Recommended Award: \$156,489.00  
.....



\*Motion made, seconded and unanimously carried to award Bid No. 2001-234

Project: Central Area Tree Planting  
Contractor: Lomeli & Sons Landscaping Co., Inc.  
El Paso, Texas

Department: Parks & Recreation  
Funding: 150069-7126CD-0019-208027  
Base Bid: \$116,200.00  
Total Award: \$116,200.00

The Purchasing Department recommends the award of this contract to Lomeli & Sons Landscaping Co., Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$10,000.00 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

Description or Explanation:

Base Bid \$116,200.00  
Total Recommended Award: \$116,200.00

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\*Motion made, seconded and unanimously carried to approve Change Order No. 4 (Scope Change) to JAR Concrete for "Runway 4-22 and Taxiway "J" Extension" for an increased amount of \$95,404.44 to construct a taxiway throat in preparation for the connection required to the new Air Cargo Facility.

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-639 PUBLIC WORKS

Public Works proposes to appropriate \$243,846.85 to fund Civic Center Expansion. Funding source is CO 98 Projects.

Increase	\$243,846.85	to	134201/PW0003/107001	Intra Fund Transfer
Increase	\$243,846.85	to	134201/PW0003/208027	Construction

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2001-643 OMB

Recognizing interest revenues to fund additional city wide software obligations.

Increase	\$400,000	to	102008/540008/105000	Investment Interest
Increase	\$400,000	to	102008/540008/208010	Data Process Equip
Increase	\$300,000	to	102009/540009/105000	Investment Interest
Increase	\$300,000	to	102009/540009/208000	Data Process Equip

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\*Motion made, seconded and unanimously carried to approve the request of Daniel Lofton/Apostolic Assembly West Texas District to use amplification (2 speakers, 3 microphones, 1 amplifier - 400 watts) at San Jacinto Plaza on July 21, 2001 from 11:00 a.m. to 2:00 p.m. Approximately 50 persons will take part and 50 spectators are anticipated. Permit No. 01-075

\*Motion made, seconded and unanimously carried to approve the request of David Diller to use amplification (2 electric guitars, 1 keyboard, 4 microphones) for an Evangelistic Concert at Album (Eastwood) Park on July 15, 2001 from 6:00 p.m. to 8:00 p.m. Approximately 9 persons will use amplification and 50 spectators are anticipated. Permit No. 01-086

\*Motion made, seconded and unanimously carried to approve the request of Franklin High School Band to hold a parade on August 18, 2001 from 8:00 a.m. to 1:00 p.m. Route: Start at Franklin High School, and proceed on Redd Road, Westwind, Tepic, Belvidere, La Chapa, Granero, La Cadena, Valplano, Orizaba, Belvidere, Lakehurst, Derrickson, Bishop Flores, Arredondo, Redd Road and end at the school. Approximately 250 people will participate and 300 spectators are anticipated. Permit No. 01-089

Motion made by Representative Cook, seconded by Representative Cobos and carried to move to the beginning of the agenda a RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01006, FOR PORTIONS OF H.G. FOSTER SURVEY NO. 260 AND H.G. FOSTER SURVEY NO. 261, EL PASO, EL PASO COUNTY, TEXAS (STANTON STREET AT FESTIVAL DRIVE, MESA HILLS DRIVE, THUNDERBIRD CREST LANE) .

Representative Medina voted Nay. Representative Sumrall abstained from voting or participating in this item because of conflict of interest. Affidavit on file with this Resolution.

**RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01006, FOR PORTIONS OF H.G. FOSTER SURVEY NO. 260 AND H.G. FOSTER SURVEY NO. 261, EL PASO, EL PASO COUNTY, TEXAS (STANTON STREET AT FESTIVAL DRIVE, MESA HILLS DRIVE, THUNDERBIRD CREST LANE), PURSUANT TO SECTION 20.04.150 OF THE EL PASO MUNICIPAL CODE.**

Mayor Raymond Caballero stated that he would provide 10 minutes for discussion and suggested that the members in opposition to this Resolution designate one individual to speak on their behalf.

Representative Medina stated that he has a problem with Council Members moving items to the forefront.

Representative Cook stated if 10 minutes were not enough time to thoroughly discuss this he would then ask that additional time be allowed.

Ms. Pat Adatao, Planning Director, presented slides and began the discussion. She stated that this item is a Site Development Plan application submitted by Pinnacle Partners, LP, represented by Conde Inc. She explained the request which is to develop a single family residential subdivision on 165 acres of privately owned land. She stated that the property has been submitted under the requirements of the PMD (Planned Mountain Development), received approval of both the preliminary and final subdivision plat of the property by the City Plan Commission. The Site Plan today has been recommended by the Development Coordinating Committee, the El Paso Mountain Committee (5-1 in favor) and the City Plan Commission (8-0) to recommend approval of this Site Development Plan. She explained that the total density which could be developed on this property is approximately 490 residential units; however, what is purposed today is 33 single family detached lots.

Ms. Adauto stated that what is before Council today is approval of a Detailed Site Development Plan, one of many approvals required zoned PMD. She explained that the basis for a recommendation of the Site Plan is that, the Plan, as submitted, satisfies all of the requirements of the Municipal Code. It allows for the review of the location, arrangement, size and design of the structures, how access will be provided, parking, open space areas, landscaping, signage and drainage handling on the site. This Site Development Plan comes before Council with favorable recommendations from all of the reviewing agencies. She mentioned that Site Plans, under the existing Zoning Ordinance, require that notices be provided and that two public hearings be held. She explained that notices must be provided to property owners within 300 feet of the site in question to be developed for both the hearing before the City Plan Commission and for the City Council meeting. She stated that notices have been provided under the Code. She has received a petition in opposition to this development of 23 signatures and six letters; however, a Site Plan does not trigger a 211.006(d) because it does not change the zoning of the property. She stated that Council Members basis for recommendation would be whether or not the Plan satisfies the Code requirements.

Mr. Charlie McNabb, City Attorney, explained that the remarks made by Ms. Adauto are correct and that Council Members' role today is to verify that the Site Development Plan complies with City Code.

Representative Power stated he understood that the Site Development Plan has met all of the requirements of the City; however, he asked if there was a requirement that a geological survey be conducted of the area and if not would a requirement be necessary in the future.

Ms. Adauto stated that the Detailed Site Development Plan application does not require that a geological report be submitted with the application; however, the subdivision plat did require a soils report, a grading, drainage and erosion plan and a vegetation preservation and protection report be filed with the application. She explained that as part of the soils report the applicant is required to submit a soil conservation map, topography map and soil hazard ratings. But that a specific geological survey is not a component requirement of these reports.

Representative Medina asked that the BZAC (Building and Zoning Advisory Committee) address these Site Development Plans in the future. He explained that Council Members must comply legally and follow Ordinances and the laws.

Ms. Adauto addressed this and explained that in reviewing the Zoning Ordinances the Planning Department will be looking into this and finding alternative solutions.

Representative Power asked whether the opponents of this development have other alternatives should environmental hazards associated to this development be discovered.

Mr. McNabb responded that private property owners have causes of action against other private property owners. He stated that with regard to this specific Site Development Plan an issue was raised regarding an endangered species; however, in his opinion, a Site Development Plan approval today would not conflict with any Federal Environmental act.

Mayor Caballero asked that Council Members address in Legislative Review the ethics issue regarding individuals who hear business before the Boards and Commissions and are also presenting business before these same Boards and Commissions. He stated that he has a problem with this and the perception of how the public views this.

Representative Escobar reiterated that the procedure before Council Members today is ministerial. He asked Ms. Adauto, if there was a defect in the application would the applicant be given an opportunity to correct this or would the application be terminated for a specific amount of time.

Ms. Adauto asked if Representative Escobar was referring to whether additional information might be required.

Representative Escobar responded would the applicant be given an opportunity to add information to correct the defective application.

Ms. Adauto responded yes. During the review of the applications, the Development Coordinating Committee has requested additional information from applicants and allows additional time to the applicants to provide the necessary documents. She explained that a neighborhood meeting was held and she thanked the doctor for opening her home to everyone.

Representative Cook pointed out that Mr. Conde was one of the original founders of "Friends of the Mountain" which resulted in the PMD Ordinance being enacted. He added that the Site Development Plans should continue to come before Council Members for the specific purposes of allowing the public to discuss the issue one more time and ensure that all legalities have been met.

Mayor Caballero asked those individuals who wished to speak address only the issue of whether the Site Development Plan meets or does not meet City Code.

Dr. Mary Ellen Reding, 5800 Coronado Ridge Drive, held the neighborhood meeting in her home. She explained that at this meeting they were unable to reconcile their differences; however, compromises were offered. She stated the compromises which were offered to Mr. Bissell were: to allow the neighborhood to either buy or lease the land and whether Mr. Bissell would consider developing the middle portion of the subdivision first, as a model, in order to see how it turns out. She asked if Council Members would approve the development of the "middle" of the subdivision. She stated that the neighborhood was not appropriately advised of the 1997 zoning change and therefore the process should have been stopped.

Mr. Fatih Akben, Coronado Ridge resident, discussed the pin cushion cactus issue. He explained that the "Pin Cushion Cactus", a federally endangered species, was found by a native El Pasoan. He stated that he had asked a renowned botanist to look at the pictures and the Franklin Mountains, he received information from the U.S. Fish and Wildlife Service regarding their rules and regulations and he has taken pictures of what he believes to be a pin cushion cactus located on his property. He stated that there are two locations in El Paso where the pin cushion cactus is federally protected. One is behind the water tank on Thunderbird, the other is located higher on the mountain. He noted that the removal of any single plant is punishable by a fine and one year in prison.

Ms. Katra Collins, Biologist, stated that she sends pictures to her friends around the world describing the beauty of the desert. She brought some of these pictures for Council Members. She explained that the beauty of El Paso is in the untouched areas, especially on the west side, and asked Council Members to continue to preserve them.

Mr. Francis Shea, Coronado Ridge Drive resident, stated he is opposed to this because: 1. He bought his home specifically because he was told no one could build behind him; 2. He has concerns regarding the Chair of the Planned Mountain Development and his association with the developer and; 3. Council Members should take action to protect our mountains.

Mr. Roy Lewis, resident, spoke on the insurance aspects. He stated that the developer will cut and fill and expand the contract. He explained that in the insurance business there is no earth movement coverage; therefore, an alternative would be to have someone check the homes prior to the construction/development and if damage is done to the homes then somebody would be held responsible.

Mr. Glenn Cutter, Coronado Ridge resident, said he was concerned regarding due process in this issue. He explained that seven years ago Mr. Bissell tried to change the property above him and had heard that the request was denied. He explained that five years ago there was a zoning change and the property owners were not notified; therefore, this should be reason enough not continue the process. He asked Council Members when do the citizens have a right to be heard. He stated that floods are a concern and when seven houses would be built above him this will change the flow of water. He stated that slabs may be damaged and asked who would be responsible. He asked Council Members to deny this request; however, if Council Members approve it make sure there is a Bond to protect the homeowners.

Mr. Richard Morris, Coronado Ridge, asked Council Members to have the courage and the bravery to make the decisions that are right.

Mayor Caballero stated that serious issues have been brought up by the neighbors and suggested that the residents of Coronado Ridge meet with Ms. Adatao and adopt a Neighborhood Plan such as that of the Rim/University Neighborhood Plan. He asked if Council Members could approve only a portion of the Site Plan.

Ms. Adatao reiterated that application before Council is to approve the 165 acres. She clarified some comments made by the residents. She explained that the property was rezoned PMD in 1986 through a City initiated action. She spoke about the development of Crazy Cat/Sierra Crest subdivision. She explained that this development took place in the early 1970's and as a result of this development a group was formed to establish mountain zoning regulations. This is how the El Paso Mountain Committee and PMD came to be formed. The property in discussion today was developed in 1984; and through a vote of City Council in 1986, an area consisting of approximately 52,000 acres of property which includes the Franklin Mountain State Park as well as the private property along the foothills of the Park area was rezoned from R-3 (Residential) zoning to PMD (Planned Mountain Development) zoning.

Mr. McNabb asked Ms. Adatao if the residents were properly notified.

Ms. Adatao responded yes. She explained that as part of the City initiated application, all owners within the area to be rezoned were notified, as well as, notifying owners of property within 300 feet abutting the site. She pointed out that the PMD zoning is one of the most restrictive districts in the City Code. She discussed the 1987 application made by Mr. Bissell. She stated that this application was a request for modifications to the subdivisions as part of a plat. This was not a rezoning, but a plat application. She stated that the first formal subdivision application submitted for this property began in November of 1999. She stated that it was a preliminary plat application for Pinnacle and this application received City Plan Commission approval in December of 1999. She also stated that the El Paso Mountain Committee meetings are posted publicly, open to the public and anyone can come.

Mr. Bill Addington, El Paso Group of the Sierra Club, stated that the Sierra Club has problems with this Planned Development.

Motion made by Representative Cook, seconded by Representative Medina and unanimously carried to approve the above Resolution. Representative Sumrall abstained from voting.

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\*Motion made, seconded and unanimously carried to postpone four (4) weeks an Ordinance changing the zoning of a Portion of Tract 7, Pendale Acres, Unit 2, City of El Paso, El Paso County, Texas (445 Pendale Road) from R-F (Ranch-Farm) to R-2A (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Oscar and Jennifer Lujan / Representative: Oscar and Jennifer Lujan, 12232 Russolo Drive, El Paso, TX 79936. ZC-01021.  
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ORDINANCE 14889

The City Clerk read an Ordinance entitled: **AN ORDINANCE PERMITTING KARINA BARRON TO USE VETERANS PARK PAVILION FROM 7:30 PM UNTIL 10:30 PM ON JULY 22, 2001**

Motion duly made by Representative Cook, seconded by Representative Cobos that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar and Cobos

NAYS: None Absent: Council Member Sariñana

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14890

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO INCLUDE TOMPKINS ROAD FROM FORT BOULEVARD TO GATEWAY SOUTH BOULEVARD, BOTH SIDES. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Rodriguez asked for an elaboration on the item.

Mr. Ted Marquez, Traffic Engineering Division Manager, explained that this is in conjunction with the repaving project.

Motion duly made by Representative Sumrall, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar and Cobos

NAYS: None Absent: Council Member Sariñana

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

\*Motion made, seconded and unanimously carried to postpone five (5) weeks the public hearing to determine if the property located at 9411-15 Dyer Street, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished.

Motion made by Representative Sumrall, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance permitting Thomson Consumer Electric to use a portion of Marty Robbins Park from 10:00 AM until 4:00 PM on August 4, 2001 for a company picnic. Fee: \$80.00

- B. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the class of Transportation Planner I. The Code will remain 5735. The Grade will remain PM 74.

**PUBLIC HEARING WILL BE HELD ON JULY 24, 2001 FOR ITEMS A - B**

- C. An Ordinance granting Special Permit No. SU-01004 to allow for a parking reduction on the property described as all of Lot 19, Block 85, CAMPBELL ADDITION, EL PASO, EL PASO COUNTY, TEXAS (720 S. Stanton Street), pursuant to Section 20.64.175, and the penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Zone: C-4 (Commercial). Applicant: Gabriel Maltos / Representative: Luis J. Lopez; 214 Gonzales, St., El Paso, TX 79907
- D. An Ordinance granting Special Permit No. SU-01005 to satisfy parking requirements for Parcel I, described as all of Lots 1-6 and a portion of Lot 7, Block 164, ALEXANDER ADDITION, El Paso, El Paso County, Texas (2201 Stanton Street), by allowing off-site, off street parking on Parcel II, described as all of Lots 11-17, Block 151, ALEXANDER ADDITION, all EL PASO, EL PASO COUNTY, TEXAS, pursuant to Section 20.14.040.S., and the penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: Parcel 2: R-4 (Residential) and Parcel 1: A-O (Apartment-Office) and A-O/c (Apartment-Office/conditions). Applicant: Dr. Louis Alpern / Representative: Perspectiva Architects; 7380 Remcon Circle, Suite A, El Paso, TX 79912.
- E. An Ordinance changing the zoning of portions of Tract 38, O.A. DANIELSON SURVEY No. 310, El Paso, El Paso County, Texas (At George Dieter Drive and Guernsey Road) from A-O/sc (Apartment-Office/special conditions) to C-1/sc (Commercial/special conditions), and imposing certain conditions. The penalty being as provided in Section 20.68 of the El Paso Municipal Code. Applicant: Radco Development Ltd. Company / Representative: Lane C. Reedman, Esq.; 4147 N. Mesa, Suite B-201, El Paso, TX 79902. ZC-01028.
- F. An Ordinance changing the zoning of a portion of Tract 8, Section 44, Block 79, TSP 2, TEXAS AND PACIFIC RAILROAD SURVEYS, El Paso, El Paso County, Texas (12000 Block of Pebble Hills Boulevard) Q/sc/sp (Quarry/special conditions/special permit) to R-5/sc (Residential/special conditions). The penalty being as provided in Section 20.68 of the El Paso Municipal Code. Applicant: Jobe Concrete Products / Representative: Conde, Inc.; 1790 Lee Trevino, Suit E 400, El Paso, TX 79936. ZC-01030.

**PUBLIC HEARING WILL BE HELD ON JULY 31, 2001 FOR ITEMS C - F**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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**ADDITION TO THE AGENDA**

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **RICHARD ALLEN CROWE** to assist the Comptroller Department as an Accountant I at the rate of \$14.50 per hour, not to exceed 40 hours per week. The total amount of the contract shall not exceed \$7,000.00. The contract period is from July 13, 2001 through October 3, 2001 and is subject to the approval of the City's Civil Service Commission.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the following:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Notice of Termination to **Margon Inc.** for a project known as **"Westside Park Improvements"**.

Representative Sumrall explained the procedure regarding companies coming before the A&E Selection Committee. She speculated that Mr. John Martin was the principal who was going to do all the work regarding these park improvements; however, he left the company. After Mr. Martin left everything came to a halt, nothing is happening to the parks on the west side. She explained that Mr. Martin came to her office and stated that he would commit to make sure these projects get finished. All of a sudden she has not heard from Mr. Martin nor any representative from Margon Inc. She remarked that she does not appreciate that. She stated that when a company cannot complete a contract with the commitment time specified, then the company should not be considered to begin with. She understands that some circumstances arise; however, not so drastically. She noted that only the drawings have been submitted and supports voiding the contracts. She then asked Mr. Gonzalo Cedillos, Deputy Director of Engineering, when were the contracts were awarded and if Margon, Inc. was required to put up a Bond.

Mr. Cedillos distributed fact sheets for Council Members perusal. He stated that there was no Bond required.

Representative Power questioned what the grounds of termination were.

Mr. Charlie McNabb, City Attorney, explained that the contracts were being terminated for convenience. He explained that the City is not alleging a default of the contract and that the City has the right to terminate for convenience.

Representative Sumrall responded that Margon Inc. does not return telephone calls nor do they do the job.

Mr. McNabb reiterated that the contract would be terminated for convenience rather than default. The City is not alleging a default but terminating the contract for convenience.

Representative Sumrall stated that her concern is the delay on the projects, how soon will any work be done on them, do we have to do the process all over again and when will we see some progress on these parks. She exclaimed that this is the first project that has happened with the Bond election and it is disaster.



Mayor Raymond Caballero remarked that he does not want this to happen again.

Representative Cook asked if the City has lost any money.

Ms. Irene Ramirez, Assistant Deputy Director of Engineering, stated that the City has not paid any monies out on these contracts.

Representative Power questioned when the implementation of these parks improvements would begin.

Mr. Cedillos remarked that the projects would have start again with the A&E process and unfortunately set the projects back three months.

Representative Cobos questioned why no Bond was required and would it be possible to implement a policy requiring a Bond.

Mr. McNabb explained when Bonds are required on projects.

Representative Medina asked City staff to provide back up information prior to discussing items on the Agendas.

Mr. McNabb responded that Council Members should discuss this in Executive Session.

Motion made by Representative Sumrall, seconded by Representative Medina and carried to discuss this item in Executive Session.

Mr. Albert Gonzalez, President of Margon Inc., asked if Council Members wished to hear his remarks. An opportunity was given after Executive Session.

This item was discussed in Executive Session. After Executive Discussion the motion was made to approve the above resolution. Please see further discussion regarding this item on page 26.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the following:

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Notice of Termination to **Margon Inc.** for a project known as **"Eastside Park Improvements"**.

This item was discussed with the above resolution and was moved to Executive Session. After the Executive Session discussion the motion was made to approve the above resolution. Please see further discussion regarding this item on page 26.

Motion made by Representative Sumrall, seconded by Representative Power and carried to approve the above Resolution.

.....  
\*Motion made, seconded and unanimously carried to re-appoint Paula Villalobos-Jimenez to the Charitable Solicitations Commission by Representative John Cook.  
.....

Motion made, seconded and unanimously carried to move to the regular agenda the following:

Payaso Entertainment to block First Street between Florence and Ochoa from 6:00 p.m. on Thursday, July 12, 2001, to 1:00 a.m. on Friday, July 13, 2001, and to hold a parade on Friday, July 13, 2001 from 6:00 p.m. to 11:00 p.m. Permission to access roof at 600 Chelsea for purposes of camera shots, if otherwise in order. Parade route at this scene begins at Delta Drive and Cotton Street; proceeds north on Cotton to Magoffin, east on Magoffin to Eucalyptus Street; south on Eucalyptus to Paisano Drive; west on Paisano Drive to Coles Street; south on Coles Street to Delta Drive; west on Delta to Cotton and repeat route per director. Approximately 250 persons, 150 vehicles, and 3 trucks will take part. Permit No. 01-088

This motion includes authorization for the Mayor to sign an agreement with Payaso Entertainment to provide the terms under which the costs of police traffic control assistance for parade events will be covered by the City in consideration of the promotion of the City and of the donation to the City by Payaso of the stage set utilized for filming at the Abraham Chavez Theatre.

Ms. Monica D. Cunningham, Chief Administrative Officer, explained that language would be added which states "permission to access the roof at 600 Chelsea for purposes of camera shots" and stated that this would otherwise be in order.

Representative Sumrall thanked the Film Commission and especially the visitors for choosing El Paso and for their patience with our procedures.

Mr. Scott Montoya, Payaso Entertainment, thanked Mayor Raymond Caballero and explained that Mr. Paul Rodriguez, comedian, has been wanting to shoot this film for a while and several locations were considered. He further stated that since El Paso really loves Paul Rodriguez, Cheech Marin, George Lopez, Charro, etc. they decided on El Paso. He went on to say the film will portray El Paso positively; it is a comedy show and will highlight the City; and they look forward to shooting here. Mr. Montoya stated that they appreciate the Departments working hard to push these things along and the City has responded well. He addressed the concern as to how this will benefit the City of El Paso and explained that Mr. Rodriguez would be assisting the Police Department with the upcoming convention. He noted that the set used for the stage performance would be donated to the City to be utilized as appropriate.

Representative Sumrall commented on Mr. Rodriguez' assistance with the Police Department's convention.

Mr. Montoya explained that Mr. Rodriguez is a big supporter of law enforcement.

Mr. McNabb clarified that Council Members would need to approve just the parade permit and not address the issue of the fee being waived. He explained that the organization is not indigent and to address the issue of the consideration for Mr. Rodriguez assisting with the convention would be to authorize the Mayor to sign an Agreement where the amount of money owed for the parade is the consideration of that.

Mr. Montoya explained that there are unforeseen costs in making a film he would consider any assistance as helpful.

Representative Cook stated that there is a tremendous public benefit and impact in making the film here as well as attracting new conventions, etc.

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to approve the above parade request.

The above Motion includes authorization for the Mayor to sign an the necessary Agreement as stated by the City Attorney.

.....

Motion made by Representative Cook, seconded by Representative Rodriguez and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

1. Discussion and action on personnel item - Julia Myles (551.074)
2. Resolutions that the Mayor be authorized to sign a Notice of Termination to **Margon Inc.** for a project known as "**Westside Park Improvements**" and "**Eastside Park Improvements**"

Motion made, seconded and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....  
Motion made by Representative Medina, seconded by Representative Sumrall and carried that the employment contract with **JULIA MYLES** be terminated for convenience. The City agrees to waive the thirty day notice requirement of the contract, with the effective date of termination July 10, 2001.  
.....

The following discussion took place regarding the Resolution that the Mayor be authorized to sign a Notice of Termination to **Margon Inc.** for a project known as "**Westside Park Improvements**" and the Resolution that the Mayor be authorized to sign a Notice of Termination to **Margon Inc.** for a project known as "**Eastside Park Improvements**".

Mr. Albert Gonzalez, President Margon Inc., gave a brief history of Margon Inc. and explained that Mr. John Martin was hired as a project manager to promote business and to pursue engineering opportunities with the City and other entities. Mr. Martin left the company in March and left unfinished projects. Mr. Gonzalez explained that Rio Bosque is being worked on at this time as well as Pecan Grove. He stated that with the assistance of the University of Texas at El Paso the surveying is being accomplished. He explained that the final drawings for Pecan Grove are complete and explained that although the drawings are late they are of good quality. He noted that specifications needed to be written or rewritten and he was aware of the costs of the projects. He went over the timeline as per the contract and stated that he was aware that the company was late in submitting the drawing for Pecan Grove. He discussed the budget for the four parks on the west side and stated that each park is different with a different budget. He stated that the City does not have the money to build each of the 22 items listed in the contract but that his company would do it. He spoke about contractors raising their fees. Margon has spent money on these projects regarding the surveying, landscaping, architects, electrical engineers. He noted that there are four parks which need surveying and although the surveying company is good, it took them three to four weeks to survey. He remarked that Margon had asked BPLW to assist them with these projects and BPLW agreed to do so. The company had submitted some drawings but the Engineering Department rejected them. He stated that Margon Inc. needs more time in order to complete the projects.

Representative Cook asked Mr. Gonzalez, in calendar days, how far behind are the projects.

Mr. Gonzalez stated 33 days; however, the City takes two to three weeks to review.

Representative Cobos noted that time is of the essence and delaying this would just defeat the purpose.

Mr. Gonzalez questioned when Council Members wanted to proceed with the construction of the projects.

Representative Medina responded as soon as possible. He asked which would take longer, going through the whole A&E process again or allowing the company to proceed. He explained that Margon has spent \$80,000.00 and submitted plans. Council Members must ensure that contracts in process and future contracts are followed and his concern is that this will take 90 days to go to A&E and the project is already behind.

Ms. Irene Ramirez, Deputy Director of Engineer, explained that the Westside park preliminary plans were due May 1<sup>st</sup> and have not yet been submitted and the Eastside park preliminary plans were due June 1<sup>st</sup> and have not yet been submitted.

Representative Rodriguez questioned whether the contract notes the penalties in reference to extensions.

Mr. Gonzalez noted that he is currently being penalized \$100.00 a day.

Representative Sumrall asked Ms. Ramirez what percentage of the work does Margon have yet to complete on the eastside and westside parks.

Ms. Ramirez explained that the Engineering Department received a submittal on westside park but it was rejected and on eastside we have not received a submittal yet.

Representative Cook moved to postpone action for one week, Representative Cobos seconded. No vote was taken regarding this motion.

Representative Medina stated that Margon is behind two weeks and asked how many weeks would it take to catch up.

Mr. Gonzalez explained that it would take two to three weeks to catch up on the westside park project. He explained that there is a problem with the baseball diamond for one of the eastside parks.

Mr. McNabb remarked that Council Members need to ascertain from staff what the delay is. The process involves City review, City resubmittal, resubmittal by the contractor, etc., the delay would not necessarily be three weeks.

Representative Cook explained he is asking for a one week postponement in order to discuss the issue with City staff.

Representative Cobos withdrew his second to Representative Cook's previous motion. Representative Rodriguez seconded Representative Cook's motion to postpone one week both Resolutions. At this time a vote was taken, the results are as follows: Nay - Representative Sumrall, Representative Power, Representative Escobar and Representative Cobos. Ayes: Representative Rodriguez and Representative Cook. Abstain: Representative Medina. The motion to postpone one week both Resolutions did not pass.

Representative Sumrall moved to cancel the contract for convenience and go out to rebid. Representative Power seconded this Motion.

Ms. Carole Hunter, City Clerk, stated that the language "and to authorize the Notice of Termination" would be included in both Resolutions.

At this time a vote was taken, the results are as follows: Ayes: Representative Sumrall, Representative Rodriguez, Representative Medina, Representative Power and Representative Escobar. Nays: Representative Cook and Representative Cobos. The motion passed to authorize the Mayor to sign Notices of Termination.

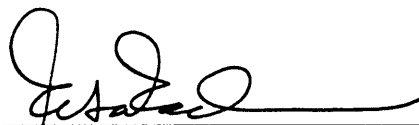
.....  
Motion made by Representative Sumrall, seconded by Representative Rodriguez and unanimously carried to adjourn this meeting at 11:47 a.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

*Carole Hunter*

Carole Hunter, City Clerk



Rifa Rodriguez, First Assistant City Attorney

